

THE LATEST NEWS.

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MAGNETIC TELEGRAPH.

From Washington.

Special Dispatch to The N. Y. Tribune.

WASHINGTON, Friday, May 13, 1859.

The small contractors throughout the country are urgent in pressing their claims for payment for the last quarter. Being unable to raise money on the evidences of indebtedness from the Government, many failures are apprehended, and much derangement of the mail service. Tennessee is the only State where the banks have made advances to the extent of the certified balances, hence the service there is relieved from embarrassment. The Department is now curtailing the mail service all over the Union, with the view of making an aggregate reduction of two or three millions.

Some doubts are entertained concerning the Postmaster General's power to abrogate the great Overland contract, as he thinks of doing, on the ground that it is a heavy drain on the Treasury without giving a corresponding benefit.

The subscription list for *The Constitution* was circulated through the Treasury Bureau to-day under Secretary Cobb's orders, which required that it should be carried to every officer.

The Treasury receipts last week were \$929,000. The Government dispatches and officers state that Governor Cumming is as much under the influence of Brigham Young as any Mormon in Utah.

To the Associated Press.

WASHINGTON, Friday, May 13, 1859.

The President has recognized George F. Ward Knapp and Franz August Hirsch, the former as Consul at New-York and the latter at Boston, for the City of Hamburg.

In view of our unsettled affairs with Cuba, the steamer Mississippi, returning from the East Indies and the Lancaster, Wyoming and Levant, on their way out, will touch at the ports of that Republic.

There is no truth in the report that Commodore Bruce is to be transferred from the New-York to the Washington Navy-Yard. He will remain there.

Obituary.

AGUSTA, Ga., Thursday, May 13, 1859.

Dr. Tomlinson Fort of Millidgeville died to-day. He was a former Member of Congress, and a distinguished medical practitioner, and was widely known and esteemed.

William Lucky, a citizen of Green County, Ga., was killed by one of his negroes to-day.

NEW-HAVEN, Friday, May 13, 1859.

Prof. Denison Olmstead, LL. D., expired at his residence in this city at 1 o'clock this morning, aged 62 years. He graduated at Yale College in 1813; was elected Professor of Chemistry in 1816, and in 1818, and served 10 years (when there, he made a geological survey of that State—the first State survey made in this country); and, in 1825, he was elected Professor of Mathematics and Natural Philosophy in Yale College, which place he filled at the time of his death.

NEWARK, N. J., Friday, May 13, 1859.

Archer Gifford, esq., one of the most distinguished members of the bar of New-Jersey, died to-day.

Masonic.

PROVIDENCE, Friday, May 13, 1859.

St. John's Encampment of Knight Templars, numbering sixty-four men, accompanied by Greene's Band, left here this evening for Richmond, Va., via Stonington and New-York. They were joined at the depot by the DeMolay Encampment of Boston, eighty strong, with Gilmore's Band.

BOSTON, Friday, May 13, 1859.

The DeMolay Encampment of Knight Templars, numbering between eighty and ninety, left this evening on their visit to Richmond, Va., via the Providence and Stonington route. Accessions to the company are expected at Providence. Large numbers of the Masonic brotherhood were at the depot to see the exotics on their return.

The Swan Trial.

SECOND DAY.

AGUSTA, Tuesday, May 10—p. m.

At the opening of court this morning, Judge W. W. Holt gave his decision at length, resting on both grounds the motion made on yesterday (Monday) in the Swan Lottery cases. He decided, upon the first ground, that by the definition in the penal code of the State, the offense for which the defendants were indicted was a "crime," being "a violation" of public law, and, therefore, indictable. Reviewing the argument of defendant's counsel, who contended that *quintus action* action should be brought, and that the indictment preferred, he laid down the position that such action can be brought only to recover a specific sum, and referred to the provision of the statute of 1853, which leaves the amount of the penalty, upon conviction, within certain limits, to the discretion of the Court.

In noticing the second ground of objection, that there was no prosecutor, he held, that all the indictments might be founded upon a special presentment of a Grand Jury that there was no necessity for a prosecutor in the case, and that it did not concern the defendants *whom* the penalty was paid; the sentence being that *they should pay it*, which was the important matter in all.

Upon both grounds, therefore, the indictment was held to be properly preferred, and the trial ordered to proceed.

The defendants are defended by Messrs. Toombs and Walker, O. A. Lochrane, Miller and Jackson, and Smeal and Stephens. For the State, Attorney-General Wm. R. Laws.

The testimony given in to-day was very meager, but hours and hours were consumed in discussing legal questions as to the admissibility of evidence, perjury and all.

Mr. Thomas M. Turner, one of the Trustees of the Spartan Academy was called to the stand, and testified that the Trustees sold and conveyed to Mr. F. C. Barber the franchise or lottery grant which was granted by the Legislature of Georgia to the Spartan Academy in 1829; that all the payments due on the sale had been punctually met, and that the Trustees considered that they had the legal authority to convey the said Lottery grant, in order to realize the sum of money which the grant authorized them to raise.

That all the Trustees were present at the sale, and the conveyance was made in good faith. A large portion of the money paid for the grant had been spent for educational purposes, and the balance on hand was appropriated in that way.

Others of the Trustees gave in evidence, all going to show that the Trustees considered the lottery grant a valid one.

The speeches of the lawyers to-day were in favor of and against allowing to go to the jury, the original papers concerning the *Spartan Academy Lottery grant* by the Trustees of that Academy to F. C. Barber, and the transfer of F. C. Barber to Swan, Edley & C. The counsel for the defense urged the admissibility of the evidence, while the Attorney-General opposed it.

The lawyers in this case seem very generous, and can readily walk over the line on any point of it. As to speculations about the result of the case, they will reserve them until the case is over, and then can give them in a reliable form.

Fires.

MARIETTA, Ohio, Friday, May 13, 1859.

A fire occurred here yesterday which destroyed twenty buildings in the business portion of the city. The principal sufferers are: Nye & Huntington, loss \$5,000, insured \$2,000; Bowershot, loss \$10,000, insured \$12,000; and the City of Marietta, loss \$5,000, insured \$12,000. The *Atlas* Company of Hartford has \$15,000, the Hartford Company \$7,000, and the City Company of Hartford \$1,800 insurance on the burned property. A large portion of the goods in the buildings was saved in a damaged condition. Several firemen and others were injured by falling buildings.

BALTIMORE, Friday, May 13, 1859.

The new engine-house of the Philadelphia & Wilmington and Baltimore Railroad Company, on Canton street, was totally destroyed by fire early this morning, with five locomotives. The fire originated from sparks from a freight engine, the fire in which had been thoroughly extinguished. The loss on the building is about \$6,000, besides from \$3,000 to \$5,000 on each locomotive, and \$1,000 or stationary machinery.